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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,169	12/13/2001	Klaus Klinkenberg	DE 000236	3945
24737	7590	10/27/2003	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			GUHARAY, KARABI	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2879	

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/022,169	KLINKENBERG ET AL.	
	Examiner Karabi Guharay	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on Amendment B, filed on 07 August 2003.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 and 6-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4, and 6-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| <p>1)<input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.</p> | <p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s) _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____.</p> |
|---|--|

Amendment B, filed on August 7, 2003 has been considered and entered.

Amendment of title is acknowledged. Typographical error of "DISHCARGE" has been corrected.

Claim 5 is cancelled. Claim 12 is added.

Amendments of claims 6, & 8-9 overcome the rejection of claims 6 & 8-9 under 35 U.S.C. 112 second paragraph.

### ***Claim Objections***

Claims 6-7 are objected to because of the following informalities: in claim 6, applicant cancels "in particular made" but the word "of" also needs to be deleted for correct form.

In claim 7, applicant cancels "least partly", but "at" in front of least partly also needs to be omitted for correct form. Appropriate corrections are required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Seki et al. (US 6084352).

Regarding claim 1, Seki et al. disclose a high-pressure discharge lamp (Fig 1) with a substantially elongated bulb, which has two neck regions (sealed portions 2, 3) and a vacuum tight chamber 1 in a central position, characterized in that at least one

neck region (2, 3) is provided at least partly with a reflection layer (15, 16, lines 14-15, and 56-63 of column 3) which extends over a width of at most 10 mm (see Claim 6) measured from the start of the bulb (bulb starts from region A which is end of the neck area).

Regarding claim 2 Seki et al. teaches that the reflector layer (15, 16) is aluminum film (line 28 of column 4), which inherently reflects in the visible and infrared spectral region (heat).

Regarding claim 3, Seki et al. discloses that the reflector film (15, 16) are provided on the outside in the neck region (Fig 1 and Fig 2).

Regarding claim 4, Seki discloses that the reflector layer is a metal layer (aluminum).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 8, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki et al. (US 6084352) further in view of Parham et al. (US 5676579).

Regarding claim 6, Seki et al. discloses all the limitations of claim 6, except for the reflection film being the dielectric film formed by alternative layers of high and low refractive index metal oxide, instead discloses a metal oxide.

However, Prahram et al. discloses a high pressure discharge lamp having neck regions and a dielectric film (190 of Fig 11) comprising layers of alternating high and low refractive index metal oxide (lines 32-34 of column 1) in order to reflect visible and infrared light (lines 8-15 of column 13).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use a dielectric interference film of alternating low and high reflective index metal oxide on the neck region of the lamp, since this will reflect not only infrared light but also visible light.

Regarding claim 8, Prahram et al. discloses a reflector lamp (Fig 2) with a reflector (52) in that at least one neck region (62, 64) is provided at least partly with a reflection layer (90, lines 50 of column 5-line 12 of column 6), wherein a cold light mirror (optical interference coating, having metal oxide layers) applied on the inside of the reflector (lines 16-22 of column 6).

Regarding claims 10-12, Prahram discloses a projection system (high pressure discharge lamp fitted on the axis of the parabola) with the discharge lamp and the reflector is an ellipsoidal reflector.

Claims 7& 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooms (US 5506464), and further in view of Seki et al. (US 6084352).

Regarding claim 7, Ooms discloses reflector lamp (Fig 1) with a reflector 1 and a high-pressure lamp 10 arranged along the optical axis 4 and having a substantially elongate bulb having two neck regions (14, 15) and a vacuum tight discharge chamber 12 in a central position (lines 42-62 of column 3). But Ooms fails to disclose that the

neck region facing the reflector opening is at least partly provided with a reflection layer which extends over a width of at most 10 mm measured from the start of the bulb.

However, Seki et al. disclose a lamp having reflector layer (15, 16) of aluminum on the neck portion (2, 4) which extends over a width of at most 10 mm measured from the start of the bulb (which is end of the neck portion region A) in order to decrease the temperature of the sealed end of the bulb (bulb starts at the end of neck portion A) lamp is burning, thus have superior service life (lines 63-67 of column 1).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include reflection coatings as disclosed by Seki et al., in the device of Ooms, since this will reduce the temperature of the sealed ends containing molybdenum foil at lower temperature, consequently increases quality service life of the lamp.

Regarding claim 9, Ooms discloses that a metal layer such as aluminum layer is arranged on the inside of the reflector 1 (lines 49-50 of column 3).

### ***Response to Arguments***

Applicant's arguments filed on 07 August 2003 have been fully considered but they are not persuasive.

Applicant contends that Seki's reflection layer starts from the distal end of the conductive foil, and applicant further contends that the distal end of the conductive foil begins interiorly of the start of the bulb.

However, examiner respectively disagrees. The distal end of the conductive foil (designated as A in Fig 1) is the start of the lamp body, which is the end of the neck

portion (sealing portion 2, 3), same as in applicant's lamp. Fig 2 of prior art clearly shows that 11a and 12a part are the caps added to the bulb (lines 47-48 of column 3).

Furthermore applicant contends that Seki et al. teach away from the present invention. Examiner agrees that Seki teaches that width of the reflection layer should be at the most 10 mm, since if it is more than 10 mm temperature will become constant (see lines 8-12 of column 5), whereas applicant also claims width of the reflection layer be at most 10 mm. Thus Seki is not teaching away from the present invention.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karabi Guharay whose telephone number is (703) 305-1971. The examiner can normally be reached on Monday-Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (703) 305-4794. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

K.G.  
Karabi Guharay  
Patent Examiner  
Art Unit 2879



VIP PATEL  
PRIMARY EXAMINER